

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHWESTERN DIVISION**

CARLOS DEMOND HAMPTON, )  
                                )  
Petitioner,                 )  
                                )  
v.                             ) Case No. 3:18-cv-0019-KOB-SGC  
                                )  
GUY NOE, et al.,             )  
                                )  
Respondents.                 )

**MEMORANDUM OPINION**

On February 1, 2019, the magistrate judge entered a report recommending the claims presented in the petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 by Carlos Demond Hampton, be dismissed without prejudice as untimely and procedurally defaulted. (Doc. 5). The magistrate judge also recommended denial of a certificate of appealability pursuant to Rule 11 of the *Rules Governing Section 2254 Cases*. Although the report advised the petitioner of his right to object within fourteen days, the court has not received any objection.

After careful consideration of the record in this case, the court hereby **ADOPTS** the report of the magistrate judge and **ACCEPTS** her recommendations. Accordingly, Petitioner's claims will be dismissed without prejudice as untimely and procedurally defaulted. A certificate of appealability will be denied.

The court will enter a separate Final Order.

DONE and ORDERED this 22<sup>nd</sup> day of February, 2019.

  
KARON OWEN BOWDRE  
CHIEF UNITED STATES DISTRICT JUDGE